

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>MUWSA GREEN,</b>	:	<b>CIVIL ACTION NO. 1:12-CV-321</b>
<b>Plaintiff</b>	:	
	:	<b>(Chief Judge Conner)</b>
<b>v.</b>	:	
	:	
<b>JOSEPH NISH, et al.,</b>	:	
<b>Defendant</b>	:	

**ORDER**

AND NOW, this 5th day of September, 2013, upon consideration of the Report and Recommendation of United States Magistrate Judge Susan E. Schwab (Doc. 102), recommending that Defendant Walter Robbins' ("Robbins") motion for summary judgment (Doc. 79) be denied and that Robbin's motion for leave to file additional summary judgment motions (Doc. 83) be granted, and, following an independent review of the record and noting that plaintiff filed objections<sup>1</sup> to the report on August 16, 2013, (Doc. 104), and the court finding Judge Schwab's analysis to be thorough and well-reasoned, and the court finding plaintiff's objections to be without merit and squarely addressed by Judge Schwab's report (Doc. 102), it is hereby ORDERED that:

---

<sup>1</sup> Where objections to a magistrate judge's report and recommendation are filed, the court must perform a *de novo* review of the contested portions of the report. Supinski v. United Parcel Serv., Civ. A. No. 06-0793, 2009 WL 113796, at \*3 (M.D. Pa. Jan. 16, 2009) (citing Sample v. Diecks, 885 F.2d 1099, 1106 n. 3 (3d Cir. 1989); 28 U.S.C. § 636(b)(1)(c)). "In this regard, Local Rule of Court 72.3 requires 'written objections which . . . specifically identify the portions of the proposed findings, recommendations or report to which objection is made and the basis for those objections.'" Id. (citing Shields v. Astrue, Civ. A. No. 07-417, 2008 WL 4186951, at \*6 (M.D. Pa. Sept. 8, 2008)).

1. The Report and Recommendation of Magistrate Judge Schwab (Doc. 102) are ADOPTED.
2. Defendant Robbins' motion for summary judgment (Doc. 79) is DENIED.
3. Defendant Robbins' motion for leave to file additional summary judgment motions (Doc. 83) is GRANTED.
4. The above-captioned case is REMANDED to Magistrate Judge Schwab for further proceedings.

/S/ CHRISTOPHER C. CONNER  
CHRISTOPHER C. CONNER  
Chief Judge, Middle District of Pennsylvania